

alleging that the article had been shipped in interstate commerce on or about July 1, 1939, by Shirley Canning Co. from Rushville, Ind.; and charging that it was adulterated and misbranded. The article was labeled in part: "Indiana Chief Tomato Catsup."

It was alleged to be adulterated in that it consisted wholly or in part of a decomposed substance.

Misbranding was alleged in that the statement on the label, "Contents 14 Ozs. Avd.," was false and misleading since it was incorrect; and in that the article was in package form and its label did not bear an accurate statement of the quantity of contents.

On December 21, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

281. Adulteration of tomato catsup. U. S. v. 217 Cases, each containing 24 Bottles of Frazier's Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1299. Sample No. 75916-D.)

Examination showed that this product contained excessive mold.

On January 5, 1940, the United States attorney for the Eastern District of Kentucky filed a libel against 217 cases, each containing 24 bottles of Frazier's Tomato Catsup, at Ashland, Ky., alleging that the article had been shipped in interstate commerce on or about October 12, 1939, by the Frazier Packing Corporation from Elwood, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Frazier's Tomato Catsup."

On January 27, 1940, no claimant having appeared, a decree of condemnation and forfeiture was entered and the product was ordered destroyed.

282. Adulteration of tomato paste. U. S. v. 16 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 1040. Sample No. 74056-D.)

This product contained excessive mold.

On November 24, 1939, the United States attorney for the District of Rhode Island filed a libel against 16 cases of tomato paste at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about August 16, 1939, by Helen Packing Corporation from North Collins, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Ital-Ama Brand Italian American Tomato Paste."

On December 22, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

283. Adulteration of tomato paste. U. S. v. 1,000 Cases of Tomato Paste. Product released under bond for segregation and destruction of unfit portion. (F. D. C. No. 1170. Sample No. 72858-D.)

Examination of this product showed that it contained excessive mold.

On December 8, 1939, the United States attorney for the Eastern District of Pennsylvania filed a libel against 1,000 cases, each containing 100 cans of tomato paste, at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 4, 1939, by Flotill Products, Inc., from Stockton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Flotta Brand Pure Tomato Paste."

On January 26, 1940, Flotill Products, Inc., having appeared as claimant, the product was condemned and forfeited, and was ordered released to claimant under bond providing that the good portion of the article be separated from the unfit portion and that the unfit portion be destroyed.

284. Adulteration of tomato pulp. U. S. v. 2,318 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1165. Sample No. 76885-D.)

Examination showed that this product contained excessive mold.

On December 8, 1939, the United States attorney for the District of Maryland filed a libel against 2,318 cans, each containing 5 gallons of tomato pulp, at Baltimore, Md., alleging that the article had been shipped in interstate commerce from about October 31 to November 10, 1939, by Salem County Cannery, Inc., from Quinton, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 23, 1940, a default decree of condemnation, forfeiture, and destruction was entered.